

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARTEN GROUP, INC. d/b/a
SENERGY MEDICAL GROUP and
SCOTT TENNANT,

Plaintiffs,

v.

JERALD TENNANT, MD, JOHN
TENNANT, TERESA JESSEN
TENNANT, JARED TENNANT,
TENNANT DEVICES AND
ACCESSORIES, LLC, and
CURADOR,
LLC,

Defendants.

Case No. 3:24-cv-01852

JURY TRIAL DEMANDED

**REQUEST FOR AN EMERGENCY HEARING ON DEFENDANTS’
EMERGENCY MOTION FOR LIMITED PROTECTIVE ORDER RE:
PLAINTIFFS’ NOTICE OF DEPOSITION OF JERALD TENNANT, M.D.**

Defendant/Cross-Plaintiff Dr. Jerald Tennant respectfully requests an
Emergency Hearing on his Motion for Protective Order related to
Plaintiffs/Counter-Defendants Scott Tennant and Marten Medical Group, Inc. d/b/a
Senergy Medical Group’s (Senergy) Notice of Deposition to Dr. Tennant for an
October 9, 2024 deposition. This request is based on the following:

1. Dr. Tennant’s Motion for Protective Order seeks only to place reasonable
time and location limits on the deposition currently scheduled for October 9, 2024.
2. As demonstrated more fully in the Motion for Protective Order, Dr.

Tennant's proposed limits are in accord with the needs of the case. The time and location limits will reduce the excessive costs and burden to Dr. Tennant from a full-day, in-person deposition, while balancing Senergy's purported basis for taking the deposition.

3. Allowing Senergy to impose a full-day, in-person deposition in Dallas would unnecessarily increase the costs of litigation, including requiring Dr. Tennant's lead counsel to fly to Dallas from Seattle and stay for multiple nights for purposes of a single deposition. Meanwhile, Senergy represented the deposition is targeted at a narrow question—its response to the motion for protective order (Dkt. No. 24)—for which it has equal access to the relevant facts and information.

4. Dr. Tennant conferred with Senergy, but could not reach resolution because Senergy has not agreed to anything less than their original demand, instead suggesting that the parties could increase the costs further by splitting the full-day deposition into two days.

5. Dr. Tennant, therefore, seeks an emergency telephonic or zoom hearing on the Motion for Protective Order on or before October 7, 2024 at 12 p.m.—*i.e.*, two days before the scheduled deposition. This request is in the interest of economy, efficiency, and to avoid prejudice.

Dated: September 27, 2024

Respectfully submitted,

/s/Tyler L. Farmer

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AND ACCESSORIES, LLC, and

CURADOR, LLC

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(i), the undersigned certifies that the parties have complied with the meet and confer requirements of Local Rule CV-7(h) and that the foregoing motion and relief sought therein is opposed.

By: /s/Tyler L. Farmer
Tyler L. Farmer

CERTIFICATE OF WORD COUNT

Pursuant to Section II.A. of the Court's Procedures for Cases Assigned to District Judge Ada Brown and Standing Order, the undersigned hereby certifies that, per the word-processor register, the foregoing Motion contains 288 words, excluding the case caption, signature block, and certificates.

By: /s/Tyler L. Farmer
Tyler L. Farmer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through CM/ECF on September 27, 2024.

By: /s/Tyler L. Farmer
Tyler L. Farmer